

SAGE-GROUSE UPDATE, No. 12

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U.S. FISH AND WILDLIFE SERVICE GREATER SAGE-GROUSE DATA CALL

The U.S. Fish and Wildlife Service (Service) made a data request to 11 western states to help them in the decision listing for the greater sage-grouse in September 2015. The following is a summary of what the data call included and how Wyoming responded.

What States were Asked to Measure

- A. Sage-grouse population status, trends, and numbers, including a hypothesis that explains the observed trends.
- B. Habitat status and trends, including information on:
 - ◆ Areas of sagebrush loss to conversion
 - ◆ Proposed energy developments in occupied habitats
 - ◆ Acres of sagebrush lost or degraded by fire
 - ◆ Cheatgrass or other invasive species
 - ◆ Conifer encroachment
 - ◆ Mining activities
 - ◆ Transmission corridors
 - ◆ Infrastructure
 - ◆ Grazing practices inconsistent with local ecological conditions
 - ◆ Losses in habitat connectivity



Photo courtesy of Tom Christiansen

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DATA CALL, CONT'D

What States were asked to Measure...

- C. Hunting and other uses
- D. Disease and predation
- E. Other factors such as impacts from pesticides, contaminants, recreational activities, other human disturbance, climate conditions, or climate change
- F. Literature pertinent to the Service status review

How the Data will be Evaluated

The Service will evaluate data provided by federal, state, and local agencies, industry, non-governmental organizations (NGOs) and others against the general conservation objectives identified in the [Conservation Objectives Team \(COT\) report](#):

1. Stop population declines and habitat loss
2. Implement targeted habitat management and restoration
3. Develop and implement state and federal sage-grouse conservation strategies and associated incentive-based conservation actions and regulatory mechanisms
4. Develop and implement proactive, voluntary conservation actions
5. Develop and implement monitoring plans to track the success of state and federal conservation strategies and voluntary conservation actions
6. Prioritize, fund, and implement research to address existing uncertainties

What We Did

To meet the data call request, the Wyoming Game and Fish Department (WGFD), in coordination with federal, state, and local agencies, industry, NGOs and others developed a [database](#) to compile both the conservation efforts and development impacts to sage-grouse in WY. The data was distilled by core area and all of the debits (i.e., habitat loss) and credits (i.e., conservation and mitigation) actions were outlined in comparison to threats identified in the COT report.

Summarized COT Threats:

- ◆ Agricultural conversion
- ◆ Annual grasses and weeds
- ◆ Energy development, mining, and infrastructure
- ◆ Conifer encroachment
- ◆ Fire
- ◆ Free roaming equids (horses)
- ◆ Grazing management
- ◆ Isolated populations
- ◆ Sagebrush elimination
- ◆ Urbanization

What We Learned

The data compiled tells a story about Wyoming's long-standing commitment to sage-grouse conservation. The information in the database provides a snapshot of the past two to three years. However, Wyoming's core areas were first established in 2008, and conservation efforts go back much farther. Information entered into the State's database indicates:

DATA CALL, CONT'D

What We Learned...

- ◆ 12 out of 31 core areas have conservation easements. Easements on private lands range from 1% to 95% of the private surface in core area.
- ◆ 234 DDCTs conducted for projects in core area yielded ~26 non-compliant acres of disturbance.
- ◆ BLM oil and gas leasing decreased in 25 core areas, and no leasing occurred in the remaining 6 core areas.
- ◆ 1.3 million acres of habitat improvement occurred in core area.
- ◆ Approx. 165,000 acres burned by fire returned to suitable habitat in core area.
- ◆ Over 73,500 acres are enrolled in Candidate Conservation Agreements with Assurances (CCAAs) in core area. Over 31,000 acres in CCAs in core area.
- ◆ 24 miles of fence modification occurred in core area.
- ◆ 44 infrastructure or range management structures were removed in core area.

Data entered in the State database before September 30th was compiled and submitted to the Service on October 31st. The database is currently undergoing modifications for improvement and will be available for continued data entry in February 2015.

Additionally, *planned* conservation activities should be entered into the Service's [Conservation Efforts Database](#). The Conservation Efforts Database is a joint effort by the Service and U.S. Geological Survey to collect data on federally listed candidate, threatened, and endangered species.

SGIT UPDATE

SAGE-GROUSE IMPLEMENTATION TEAM

Last meeting: November 17, 2014 in Cheyenne, WY

Topics of discussion:

- ◆ ECOSTATys LLC presentation on Modeling Sage-Grouse Biology
- ◆ WyGIS and Anadarko presentation on Mitigation Opportunity Mapping Tool
- ◆ Discussion on Travel, Recreation, and Wildlife Committee recommendations pertaining to trapping and transplanting sage-grouse and the use of farm raised birds
- ◆ Wyoming data collection and U.S. Fish and Wildlife Service data call
- ◆ Wyoming Reclamation and Restoration Center Industry Reclamation Database
- ◆ 2015 NAIP imagery buy-up
- ◆ Agency updates

[6/24/14 Meeting minutes](#) available on the [WGFD website](#).

Next meeting: January 28, 2015 in Cheyenne, WY



**To receive YouTube links to
view SGIT meetings remotely
contact:**

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SAGE-GROUSE WING SURVEYS

Each year the Wyoming Game and Fish Department (WGFD) asks hunters to donate a wing from each sage-grouse harvested during the hunting season by placing them in wing barrels located across western and central Wyoming. Agency personnel determine the age and sex of each harvested bird, and the resulting ratio of chicks to hens is an indicator of reproductive success and population trend.

In 2014, over 1,500 wings were collected in WGFD wing barrels. The ratio of chicks to hens was 1.8. Estimating the reproductive success of sage-grouse hens in the fall may help predict lek counts for the following spring. Generally, a chick to hen ratio of 1.5 chicks per hen indicates stable lek counts the following year. Ratios of ≥ 1.8 suggest population increases, and ratios of ≤ 1.2 indicate declines. Given this year's data, the WGFD would expect to see an increase in lek counts in spring of 2015.

[Sage-grouse Hunting: Why is it still allowed?](#)

[Hunting and Sage-grouse](#)



Photo courtesy of WGFD

Year	Sample Size	Chicks per Hen
2010	2,169	0.9
2011	2,425	1.4
2012	1,964	0.8
2013	1,232	1.0
2014	1,511	1.8

Table 1—Chick:Hen Ratios over the Past 5 Years

CCA/A UPDATE

Candidate Conservation Agreement (BLM and U.S. Forest Service)

The final [BLM Candidate Conservation Agreement \(CCA\)](#) document is available for download. BLM Wyoming is providing some internal training meetings primarily focused towards BLM employees, though several partners have been invited to participate. These January meetings will ensure consistent implementation and offer additional information about completing CCA applications as timely as practicable. There are currently three signed BLM CCAs with an additional operators who have expressed interest as participants. A total of 41,110 acres have been enrolled. BLM is working to address and complete those applications as other priority workloads allow. Authorized livestock operators with a BLM Wyoming grazing permit/lease that are interested in obtaining a CCA should contact their local BLM field office or the BLM Wyoming State Office, Chris Keefe at (307) 775-6101.

The U.S. Forest Service has also completed a Statewide Umbrella CCA, and they are ready to take applications. Please contact Peter McDonald at (303) 275-5029 or petermcdonald@fs.fed.us for more information.

CCA/A UPDATE, CONT'D

Candidate Conservation Agreement with Assurances (Private Land)

Eighteen Candidate Conservation Agreements with Assurances (CCAAs) have been completed as of January 2015 with a total of 151,901 acres enrolled. The U.S. Fish and Wildlife Service is currently working on applications with additional landowners.

Landowners may contact Tyler Abbott (Cheyenne: 307-772-2374), Pauline Hope (Buffalo: 307-684-1069), or Rox Rogers (Rock Springs: 307-212-7140) for more information or to sign up for a CCAA, or a CCA.

Information and documents are available on the [Wyoming Stock Growers Association](#) website.



Am I in Policy Review?

When the DDCT Data and Application Steward designates a project “Technical Review Complete” it means the proponent may move forward with submitting the project for “Policy Review” if desired at that time. There are a few steps the proponent must complete before the project will be handed off to the Wyoming Game and Fish Department (WGFD) for this consistency review with Executive Order 2011-5.

First, after running final calculations, you must click the “Start Policy Review” button. Doing this sends a notification to the Data and Application Steward that you are ready to proceed. Understandably, some project proponents may be working ahead and not quite ready for the policy review. It is ok to leave a project in the “Technical Review Complete” phase, but keep in mind the project will be moved back to the “DDCT Development” phase after 30 days of inactivity.

The second step in moving a project to “Policy Review” is sending the DDCT Data and Application Steward the project final calculations and completed Executive Order 2011-5 worksheet via email. The WGFD policy review

cannot proceed without information contained in the worksheet, and therefore the project will not be assigned for review until all the documents are available. The timeline for policy review is approximately 30 days.

The DDCT Data and Application Steward at WyGISC is continually maintaining and modifying the online tool as needed. Data accuracy and review efficiency are top priorities.

Questions?

WyGISC DDCT Data and Application Steward

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KEEPING YOU IN THE LOOP

◆ WGFD sage-grouse data are updated for 2014. New trend and GIS data are available. Please contact Nyssa Whitford (nyssa.whitford@wyo.gov) at the Wyoming Game and Fish Department for instructions on accessing and using these data.

◆ The BLM and Forest Service are anticipating releasing the final Environmental Impact Statement (FEIS) for the sage-grouse Resource Management Plan (RMP) amendment during spring/summer 2015 with Records of Decision (ROD) in summer/fall 2015. For more information on the amendment and timeline, visit the [Wyoming Greater Sage-Grouse RMP/LRMP Amendments](#) website.

◆ WyGIS is leading an effort to digitize disturbance in Wyoming's core areas to be completed in summer 2015. Approximately 30% of core area has been reviewed and correctly attributed, to date.

◆ In summer of 2015 the USDA Farm Service Agency will fly new statewide National Agriculture Imagery Program (NAIP) imagery for Wyoming. At this time Wyoming is seeking funds to increase the use and applicability of the aerial imagery by buying-up to 1/2 meter ground sample distance, or four times the standard resolution. For additional information, please contact Sam Cox, Natural Resource Specialist, BLM Wyoming (secox@blm.gov). NAIP is publicly available and widely used in a variety of applications in Wyoming. It is acquired approximately every 3 years with a standard 1 meter ground sample distance.

◆ The Natural Resources Conservation Service (NRCS) Environmental Quality Incentive Program (EQIP), which includes the Sage-grouse Initiative (SGI), has a batching deadline of March 20, 2015. Agricultural producers

interested in this program should contact their local NRCS field office as soon as possible.

◆ The NRCS is accepting sign-ups for the Agricultural Conservation Easement Program (ACEP). This is a new working lands easement program that covers both Wetland Reserve Easements and Agricultural Land Easements.

◆ The NRCS National Bulletin 290-15-1 announces a new Conservation Effects Assessment Project (CEAP) conservation insight issued on December 9, 2014. The conservation insight, "[Wyoming's Core Area Policy and Conservation Easements Benefit Sage-Grouse](#)," summarizes recent Sage-grouse Initiative (SGI) CEAP Science studies conducted through a partnership among NRCS, The Nature Conservancy, the University of Wyoming, and the University of Montana describing the benefits of conservation easements to sage-grouse in the context of Wyoming's Core Area policy. Other [CEAP-Wildlife products](#) are available on the CEAP website. See the [SGI website](#) for more on science-based conservation delivery to benefit sage-grouse and other sage-steppe species.

◆ The International Sage-grouse Forum was held November 13-14, 2014 in Salt Lake City, UT. [Recorded proceedings](#) from the forum are available online and free of charge.



Photo courtesy of Tom Christiansen

SAGE-GROUSE RIDER IN THE FY15 OMNIBUS BILL: WHAT DOES IT MEAN?

The Fiscal Year 2015 (FY15) Omnibus Appropriations Bill contained a rider that includes specific provisions for greater sage-grouse. This development – and statements in the media – have created significant uncertainty about what the rider means and what the future holds.

The key point is the Omnibus is very targeted. The Service intends to move full speed ahead in every aspect of greater sage-grouse conservation activities where it is still allowed. It is critically important the momentum that has developed over the past few years as a result of the Service's status review process and deadlines is maintained.

- ◆ The Omnibus limits the Service's ability to publish rules regarding sage-grouse, as further detailed below, until the FY15 appropriations law restrictions are lifted.
- ◆ The Omnibus does not affect the Service's ability to develop, implement, and analyze conservation efforts to support the species. In fact, it continues funding for Interior and USDA to conserve sagebrush habitat and to advance the unprecedented collaboration happening across 11 western states.
- ◆ It does not relieve BLM or the states from their obligation to finalize management plans that address threats to greater sage-grouse across the range.
- ◆ It does not relieve the Service of its obligation to determine by Sept. 30, 2015 whether ESA protection is still warranted. The Service will continue to collect data and conduct analysis, and reach a decision as to whether listing is warranted or not.

That means the Service must stay on track and:

- ◆ Continue to assist the BLM, USFS and states in finalizing land use plans that are protective of sage-grouse and sage-grouse habitat.
- ◆ Continue to work with BLM, NRCS and other partners to develop and finalize CCA/As and other conservation efforts that provide tangible and durable on-the-ground benefits to sage-grouse and its sagebrush habitat.
- ◆ Continue with the status review process, which means the Service is transitioning from data collection to data analysis to determine by Sept. 30 if "warranted" is still the appropriate designation for the species.

The sage-grouse campaign truly does represent a remarkable and historic moment in the history of the ESA and the North American model of wildlife management. Success will hinge on the work of many, many people, most of all you. If we don't get it right now, we'll surely be back in sagebrush country soon, wrestling with petitions for other species, like pygmy rabbits and Brewer's sparrows. If we do get it right now, we will send a loud and clear message that conservation is a shared responsibility that provides shared benefits for people and wildlife.

Additional Information

TEXT OF THE RIDER

SAGE GROUSE

SEC. 122. None of the funds made available by this or any other Act may be used by the Secretary of the Interior to write or issue pursuant to section 4 of the Endangered Species Act of 1973 (16 U.S.C. 1533)-

1. **a proposed rule for greater sage-grouse (*Centrocercus urophasianus*);**
2. **a proposed rule for the Columbia basin distinct population segment of greater sage-grouse;**
3. **a final rule for the bi-state distinct population segment of greater sage-grouse; or**
4. **a final rule for Gunnison sage-grouse (*Centrocercus minimus*).**

DURATION

The Service will not be able to proceed in these areas until the FY15 appropriations law restrictions are lifted. Any FY15 carryover funds will carry the existing restriction. Riders are often incorporated into future spending bills.

GREATER SAGE-GROUSE

(including Columbia Basin distinct population segment)

The Service cannot propose a threatened or endangered designation. The Service could:

- ◆ Write and issue a not-warranted finding (if supported by the record).
- ◆ Complete the analysis required for the above determination rule, but not write it until the FY15 appropriations law restrictions are lifted.
- ◆ Write and issue an emergency listing rule for a period of 240 days under the authority of section 4(b) (7). There is no judicial precedent on whether a new emergency listing can follow the initial one. However, the Service could not write or issue a proposed rule to accompany an emergency listing until the FY15 appropriations law restrictions are lifted.

- ◆ Complete analysis required for a proposed 4(d) rule, but not write it until the FY15 appropriations law restrictions are lifted.

BI-STATE POPULATION

The Service cannot write or issue a final rule or finalize the 4(d) rule for the Bi-State distinct population segment. The Service could:

- ◆ Write and issue a not-warranted finding (if supported by the record).
- ◆ Issue a warranted but precluded finding (state that Section 122 prohibits the Service from writing or issuing a proposed rule promptly as required by Sec. 4.).
- ◆ Complete the analysis required for a final listing rule, but not write it until the FY15 appropriations law restrictions are lifted.
- ◆ Complete analysis of final 4(d) rule (if warranted), but not write it until restrictions are lifted.

GUNNISON SAGE-GROUSE

The prohibition on writing final rules is moot. Final rule and critical habitat issued 11/12/14, effective 12/22/14. The Service cannot finalize a 4(d) rule until the FY15 appropriations law restrictions are lifted. The Service could:

- ◆ Write and issue a proposed 4(d) rule but not finalize it until the FY15 appropriations law restrictions are lifted.
- ◆ Do the analysis required for a final 4(d) rule (without writing a final 4(d) rule).